

KELLEY DRYE & WARREN LLP
A LIMITED LIABILITY PARTNERSHIP

WASHINGTON HARBOUR, SUITE 400
3050 K STREET, NW
WASHINGTON, D.C. 20007-5108

(202) 342-8400

ND-2012-24-C
240023

FACSIMILE
(202) 342-8451
www.kelleydrye.com

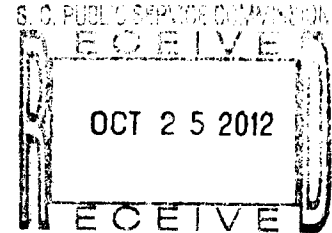
NEW YORK, NY
CHICAGO, IL
STAMFORD, CT
PARSIPPANY, NJ
BRUSSELS, BELGIUM

AFFILIATE OFFICES
MUMBAI, INDIA

DIRECT LINE: (202) 342-8819

EMAIL: wbrantl@kelleydrye.com

October 19, 2012



BY HAND DELIVERY

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Re: Affordable Phone Services, Inc. Section 63.71 Application

Dear Ms. Dortch:

On behalf of Affordable Phone Services, Inc. and pursuant to Section 63.71 of the Federal Communications Commission's rules, 47 C.F.R. § 63.71(b), enclosed please find an original and four copies of the Company's Section 63.71 Application for the discontinuance of selected domestic telecommunications services.

Also enclosed is a duplicate of this filing. Kindly date-stamp the duplicate and return it to the courier.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Winafred Brantl".

Winafred Brantl

Counsel to Affordable Phone Services, Inc.

Enclosures

RECEIVED

REC'D
MAIL / DMS

DC01\BRANW\492481.1

In the Matter of
Section 63.71 Application of
Affordable Phone Services, Inc.

Affordable Phone Services, Inc. (“Affordable,” the “Company” or “Applicant”) hereby seeks authorization pursuant to Section 214(a) of the Communications Act of 1934, as amended (the “Act”), 47 U.S.C. § 214, and Section 63.71 of the Commission’s rules, 47 C.F.R. § 63.71, to discontinue its provision of selected domestic telecommunications within the Company’s service territory – specifically prepaid local exchange and long distance services that the Company currently provides to customers on a resale basis in Alabama, Florida, Kentucky, Louisiana, North Carolina and South Carolina using AT&T as the underlying carrier.

Affordable, a Florida corporation, operates as a provider of domestic competitive telecommunications services in the southeastern United States. Currently, Affordable offers its customers a prepaid wireline package of residential local exchange and interexchange¹ services in these states.² Affordable does not provide international services.

² At this time, Affordable has no customers for these services in Louisiana.

In response to changing market conditions, Affordable has determined that it is no longer feasible to offer its current resold wireline service package in the AT&T territories.³ The proposed discontinuance will not result in harm to the affected customers because they are being provided with ample notice of the discontinuance and equivalent service offerings are available from other carriers. One or more other carriers in each state provide similar prepaid packages and many more carriers, including the incumbent carrier, AT&T, provide these services on a post-paid basis.

The Applicant provides the following information pursuant to Section 63.71 of the Commission's Rules:

1. Name and Address of Carrier: Applicant's name and address is Affordable Phone Services, Inc., P.O. Box 831372, Ocala, FL 34483.
2. Date of Planned Service Discontinuance, Reduction or Impairment: Subject to receipt of necessary federal and state regulatory authorizations⁴, the proposed discontinuance is scheduled to take place on December 31, 2012.
3. Points of Geographic Areas of Service Affected: Affordable proposes to discontinue the provision of prepaid (wireline) local exchange and interexchange services delivered using AT&T as the underlying carrier in Alabama, Florida, Kentucky, Louisiana, North Carolina and South Carolina.

³ Following implementation of this decision, Affordable will undertake a strategic re-assessment of the intrastate and national communications markets and determine in what manner the Company can most effectively compete with other service offerings.

⁴ Affordable understands that this application will be granted automatically on the 31st day after public notice of filing unless the Commission notifies the Company to the contrary.

4. Brief Description of Type of Service Affected: The communications services affected by the proposed discontinuance consist of prepaid (wireline) residential local exchange and interexchange services.

5. Brief Description of the Dates and Methods of Notice to All Affected Customers: On October 9, 2012, Affordable sent written notice to affected customers by first-class mail in accordance with the requirements of Section 63.71(a) of the Commission's rules, informing them that the Company will cease provision of prepaid residential local and long distance services effective December 31, 2012. The notice clearly underscores that customers must make arrangements with another carrier to avoid loss of service and provides a toll-free telephone number that customers may call to reach Affordable service representatives for assistance with this transition. A sample copy of the notice sent to Affordable's customers is appended as *Exhibit A*.⁵

6. Whether the Carrier is Considered Dominant or Non-Dominant with Respect to the Service to Be Discontinued, Reduced or Impaired: Applicant is considered non-dominant with respect to the affected services.

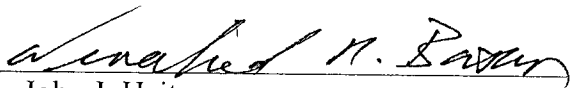
In accordance with Section 63.71 of the Commission's Rules and concurrent with this filing, a copy of this Application is being mailed to (i) the Governors and Public Service Commissions (or equivalent) of Alabama, Florida, Kentucky, Louisiana, North Carolina and South Carolina and (ii) to the Special Assistant for Telecommunications for the Secretary of Defense.

⁵ Affordable's customer notice incorrectly refers (in a footnote) to discontinuance in all nine BellSouth states. The Company is not discontinuing services in Georgia, Mississippi or Tennessee; however, because Affordable currently has no customers in those three states for the services in question, there is no risk of customer confusion arising from this error.

Additional questions regarding this application should be addressed to the undersigned.

Respectfully submitted,

Affordable Phone Services, Inc.

By: 

John J. Heitmann

Winafred R. Brantl

Kelley Drye & Warren LLP

3050 K Street, NW – Suite 400

Washington, DC 20007

Tel: (202) 342-8819

E-Mail: wbrantl@kelleydrye.com

Its Attorneys

Dated: October 19, 2012

Exhibit A
Sample Customer Notice



Customer Name
Address Line 1
Address Line 2

October , 2012

Notice of Discontinuance of Your Telephone Service by Affordable Phone Services, Inc.

Dear Customer:

Affordable Phone Services, Inc. ("Affordable") regrets to inform you that it is preparing to cease providing prepaid local and long distance service to customers in a significant part of its service area.¹ **In order to avoid a disruption in telephone service, you must make arrangements for service with a new telephone company before the cut-off date noted below.** The names and telephone numbers of local telephone service companies, which also typically provide long distance service, are listed in your telephone directory. Customer service representatives at these companies will help you to select services to most effectively replace your current Affordable service. If you arrange for new service before your Affordable service is terminated and wish to keep your current telephone number(s), please be sure to address this with your new service provider.

Subject to regulatory approvals, your service cut-off date is December 31, 2012. If you do not arrange to have your telephone service provided by a new telephone company prior to **December 31, 2012**, you may lose telephone service (which means that you will be unable to make local calls including 911) and you may not be able to keep your current telephone number(s) with the new service provider. Effective with this notice, Affordable will no longer make any changes to or reconnect existing service and will not accept orders for new service.

¹ This discontinuance affects customers for Affordable's prepaid wireline local and long distance service in those parts of Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee where AT&T is the incumbent local exchange carrier.

The Federal Communications Commission requires us to provide you with the following notice in connection with its review of the proposed discontinuance:

The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the Commission releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the § 63.71 Application of Affordable Phone Services, Inc. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

We thank you for being an Affordable customer and wish you well with your new provider. Should you have any questions, please contact Affordable at 877-369-0999.

Sincerely,

Affordable Phone Services, Inc.
PO Box 831327
Ocala, FL 34483

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Section 63.71 Application was served this 19th day of October, 2012, by mailing true and correct copies thereof, postage prepaid, to the following persons at the addresses listed below.

Secretary of Defense
Attn: Special Assistant for
Telecommunications
Pentagon
Washington, D.C. 20301

Alabama
Office of Governor Robert Bentley
State Capitol
600 Dexter Avenue
Montgomery, AL 36130-2751

Florida
Office of Governor Rick Scott
PL 05 The Capitol
400 South Monroe Street
Tallahassee, FL 32399-0001

Kentucky
Office of Governor Steven L. Beshear
700 Capitol Ave., Suite 100
Frankfort, KY 40601

Louisiana
Office of Governor Bobby Jindal
P. O. Box 94004
Baton Rouge, LA 70804-9004

North Carolina
Office of Governor Beverly Perdue
Office of the Governor
20301 Mail Service Center
Raleigh, NC 27699-0301

South Carolina
Office of Governor Nikki R. Haley
1205 Pendleton Street
Columbia, SC 29201

Mr. Walter L. Thomas, Jr.
Commission Secretary
Alabama Public Service Commission
Suite 850
100 North Union Street
Montgomery, AL 36104

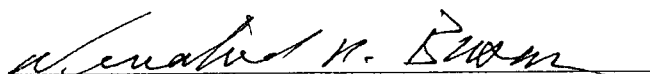
Ms. Ann Cole
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399

Mr. Jeff R. Derouen
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, KY 40601

Eve Kahao Gonzalez
Secretary
Louisiana Public Service Commission
602 North 5th Street
Baton Rouge, LA 70802

Ms. Renne Vance
Chief Clerk
North Carolina Utilities Commission
430 North Salisbury Street
Raleigh, NC 27603-5918

Jocelyn Boyd
Executive Director
South Carolina Public Service Commission
PO Drawer 11649
Columbia, SC 29211


Winafred R. Brantl